

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA

v.

MICHAEL DEVONN DAVIS

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No. 3:09-cr-00240-10

Judge Nixon

ORDER

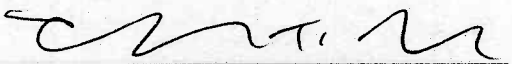
Pending before the Court is Defendant Michael Devonn Davis's Motion for Permission to Join Co-defendant Cecil Whitmon, III's Motion to Adopt Certain Pretrial Motions ("Motion to Join"). (Doc. No. 991.) Specifically, Defendant Davis requests to join Defendant Whitmon's motion, which, in turn, requests to join previously filed motions by other co-defendants. (*Id.*) These include Defendant Paul McQuiddy's following motions filed on February 18, 2011: Motion for Additional Peremptory Challenges and the Right to Exercise Those Challenges Independently After Consultation and Memorandum in Support (Doc. Nos. 415-16); Motion for Jury Questionnaire and Memorandum in Support (Doc. Nos. 417-18); Motion for Pretrial Identification of Phone Calls that will be Used in Case-In-Chief and Memorandum in Support (Doc. Nos. 419-20); Motion for Pretrial Disclosure of Government Witnesses and *Jencks* Material and Memorandum in Support (Doc. Nos. 421-22); Motion for Daily Trial Transcript and Memorandum in Support (Doc. Nos. 423-24); and Motion for Equal Access to Exhibits and Memorandum in Support (Doc. Nos. 425-26). (Doc. No. 991.) Defendant Davis also requests to join Defendant McQuiddy's Motion for Jury-Out *Enright* Hearing on Admissibility of Alleged Coconspirator Statements and Memorandum in Support (Doc. Nos. 604-05), filed on August 30, 2011, and Motion to Sever From Newly Added Defendants and Any Defendants Who Need More Time to Prepare for Trial and Memorandum in Support (Doc. Nos. 768-69), filed on

November 4, 2011; Defendant Lachaunti Williams's Motion for Co-Conspirator Statements and Memorandum in Support (Doc. Nos. 933-34), filed on February 17, 2012; and Defendant Thomas Branum's Motion to Reveal Agreements and Unseal Plea Agreement(s) ("Motion to Reveal") (Doc. No. 971) and Motion and Request for Disclosure of 404(b) Evidence ("Motion for Disclosure") (Doc. No. 972), filed on March 20, 2012. (Doc. No. 991.) All motions named in Defendant Davis's Motion to Join are currently pending before the Court, except Defendant Branum's Motion to Reveal.

The arguments made by Defendants McQuiddy, Williams, and Branum in their motions apply equally to Defendant Davis. (See Doc. Nos. 415-26, 604-05, 768-69, 933-34, 971-72). However, Defendant Branum's Motion to Reveal was denied by the Court on October 19, 2012. (Doc. No. 1371.) Accordingly, the Court **GRANTS** the Motion to Join with respect to motions filed by Defendants McQuiddy and Williams, and Defendant Branum's Motion for Disclosure (Doc. Nos. 415-26, 604-05, 768-69, 933-34, 972) and **DENIES** as moot the Motion to Join with respect to Defendant Branum's Motion to Reveal (Doc. No 971).

It is so ORDERED.

Entered this the 22nd day of October, 2012.


JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT